IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25/09/2003

CORAM

THE HONOURABLE MR.JUSTICE P.D. DINAKARAN

Writ Petition No.6194 of 2003
and
WPMP.No.7950 of 2003

L.Vijayalakshmi .. Petitioner

-Vs-

The Assistant Engineer,
Maintenance & Operation,
Tamil Nadu Electricity Board,,
Chinnappanaickanpalayam,
Komarapalayam. .. Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari as stated therein.

For Petitioner : Mr.S.Raghavan

For Respondent : Mr.N.Srinivasan,
Standing Counsel.

:O R D E R

Since the petitioner is one of the Directors in M/s.Anbu Wattle Extracts Pvt. Ltd., having High Tension Electricity Service Connection No.34 under the respondent herein and also in arrears of payment of electricity consumption charges of the said service connection for a sum of Rs.1,12,058/-, the other service connection of the petitioner, viz., S.C.No.392 under the respondent is sought to be disconnected by the respondent in the impugned proceedings dated 19.12.2002. Aggrieved by the same, the petitioner seeks a writ of Certiorari to call for the records of the respondent in Ka.No.U/Po/AE/E O & M/C.Na.Pa./Ka/ the disconnection/No.549/2002 dated 19.12.2002 and to quash the same, on the ground that the respondent has no jurisdiction to pass the impugned order dated 19.12.2002.

2. Placing reliance on Clause 19.18 of the Terms and Conditions of the Tamil Nadu Electricity Board, Mr.N.Srinivasan, learned Standing Counsel appearing for the respondent, contends that the respondent has got power to take appropriate action to disconnect the service connection of a consumer, if he is in default in payment of electricity charges with respect to some other service connection also. Clause 19.1 8 of the Terms and Conditions of the

Tamil Nadu Electricity Board reads as follows:
"Where any consumer having more than one service connection, defaults in payment of dues relating to any one of the service connections, the Board may cause other service connections in the name of the consumer to be disconnected till all the arrears due for all the service connections are paid, notwithstanding the fact that the service connections are covered by separate agreements".

3. In view of Clause 19.18 of the Terms and Conditions of the Tamil Nadu Electricity Board referred to above, I do not find illegality or irregularity in the impugned proceedings dated 19.12.2002. Hence, the writ petition fails and the same is dismissed. No costs. Consequently, WPMP.No.7950 of 2003 is also dismissed.

Index: Yes
Internet: Yes

ATR

To,
The Assistant Engineer,
Maintenance & Operation,
Tamil Nadu Electricity Board,,
Chinnappanaickanpalayam,
Komarapalayam.